

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

CHHATTISGARH

WRIT PETITION NO 1269 OF 2005

PETITIONER:

P.R. No. 1251/05
Presented by Shri S.R. Jha
dated 22/03/05

Chandrabhan Pandey, S/o Shri Ramnaresh Pandey, Aged about 50 years, Presently working as Head Constable (B.No.100), Posted at Thana Dongargarh, District Rajnandgaon (Chhattisgarh).

Versus

RESPONDENTS:

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22-3-05
CLEAR to A. G. BILASPUR

1. Union of India
Through the Secretary,
Department of Personnel, Public
Grievance and Pension, Third
Floor, Lok Nayak Bhawan, Khan
Market, New Delhi.
2. State of Madhya Pradesh
Through the Secretary,
Department of Home Affairs,
Vallabh Bhawan, Bhopal (M.P.).
3. State of Chhattisgarh
Through the Secretary,
Department of Home Affairs,
D.K.S. Building, Mantralaya,
Raipur, Chhattisgarh.
4. Director General of Police,
State of Chhattisgarh,
Raipur (C.G.).
5. Inspector General of Police
(Personnel), Police Head
Quarters, Raipur, District Raipur
(C.G.).
6. Superintendent of Police,
District Rajnandgaon (C.G.).

Restored.
for A.G. B. Bilaspur
Sen. Jha
dt. 22/3/05



WRIT PETITION UNDER ARTICLE 226/227 OF THE
CONSTITUTION OF INDIA

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HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION NO.1269 OF 2005

Petitioner : Chandrabhan Pandey

versus

Respondents : Union of India and others

Present : Mr. Sameer Behar, counsel for the petitioner.
Mr. Bhishma Kinger, Standing Counsel for respondent
No.1/Union of India.
Mr. V.V.S.Moorthy, Deputy Advocate General with Mrs.
Anju Ahuja, Deputy Government Advocate for respondents
No.3 to 6.
None appears for respondent No.2.

ORDER

(Passed on 10th of October, 2006)

The case of the petitioner is that the petitioner was employed as Head Constable by undivided State of Madhya Pradesh. On creation of new State of Chhattisgarh, the petitioner was allocated to State of Madhya Pradesh by order dated 7-3-2003 (Annexure P-1) passed by the Police Headquarters, Madhya Pradesh, Bhopal. Assistant Inspector General of Police (Personnel), Police Headquarters, Raipur for Director General of Police issued a circular dated 9-12-2003 (Annexure P-2) to all the Senior Superintendents of Police and Superintendents of Police to relieve the Constables/Head Constables, who have been allocated to State of Madhya Pradesh. Notwithstanding the orders dated 7-3-2003 (Annexure P-1) and 9-12-2003 (Annexure P-

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2). the petitioner has not been relieved from the present place of posting at Rajnandgaon till date.

2. It is jointly admitted by the learned counsel appearing for the parties that the orders dated 7-3-2003 (Annexure P-1) and 9-12-2003 (Annexure P-2) are very clear and do not admit of any confusion.

3. Accordingly, respondents No.3 to 6 are directed to relieve the petitioner forthwith for joining his new place of allocation at Rewa (Madhya Pradesh).

4. For the reasons aforesaid and as a result, this petition stands allowed. No order as to costs.

Certified copy as per rules.

Sd/-
Satish K. Agnihotri
Judge